

Serial No. 09/702,718

Patent  
55293-00003

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:	)	Group Art Unit: 1633
	)	
Moon Jong NOH et al.	)	Examiner: Wilson, Michael C.
	)	
Serial No.: 09/702,718	)	
	)	
Filed: November 1, 2000	)	
	)	
For: GENE THERAPY USING TGF- $\beta$	)	

Reply to Office Action of October 8, 2002Commissioner for Patents  
Washington, D.C. 20231

Sir:

In response to the Office action dated October 8, 2002 in connection with the above-identified application, please consider the following remarks:


REMARKS

Claims 2-5 and 13-15 are pending in the application. In the Office action of October 8, the Examiner stated that Applicants' previous response of July 24, 2002 (Mailing Certificate Date – or July 30, 2002, apparently PTO mail stamp date) is not fully responsive to the prior Office action with regard to the double patenting rejection of claims 1-22 over claims 1-22 in co-pending Application 09/707,900 under 35 U.S.C. 101 because applicants have not argued the double patenting rejection or indicated willingness to file a terminal disclaimer.

In response, Applicants will submit a terminal disclaimer.

CERTIFICATE OF FACSIMILE  
(37 C.F.R. § 1.8a)

I hereby certify that this paper (along with any referred to as being attached or enclosed) is being sent by facsimile on the date shown below to U.S.P.T.O. TC1600, Before Final, Fax No. 703-872-9306.

Grace Kim  
Name of Person Faxing PaperNovember 8, 2002  
Date of Deposit  
Signature of Person Faxing Paper